

REMARKS

In the Office Action mailed August 5, 2004, claims 1, 55-57 and 62 were rejected under 35 U.S.C. 112, second paragraph. Claims 2-6, 25-30, 49-54 and 63-68 were rejected under 35 U.S.C. 103(a). Claims 60 and 61 were objected to as being dependent upon a rejected base claim. Applicant respectfully traverses all rejections.

In addition to the amendments to the claims discussed below, Claim 2 has been amended to clarify the claim. No new matter is added by the clarification in claim 2.

35 U.S.C. 112, second paragraph rejection

In the Office Action mailed August 5, 2004, claims 1, 55-57 and 62 were rejected under 35 U.S.C. 112, second paragraph. The Office Action stated the chemical structure in claim 55 was vague and should be part of claim 56 not claim 55. In response, claim 55 has been amended to remove the structure and the structure has been moved to claim 56. This amendment to claims 55 and 56 is supported by the specification and claims as originally filed and the claims as amended on March 24, 2003 and April 5, 2004.

The Office Action stated in claims 1 and 56 the definition for R¹ was vague because R¹ contains at least one Si atom, which is not an optional requirement. In response, the definition of R¹ has been clarified in claims 1 and 56. Specifically, the requirement that R¹ contains at least one Si atom has been moved to the beginning of the definition. Claims 1 and 56 have also been amended to clarify the substituents defined at the end of the claim. No new matter is added and all amendments are supported by the specification and claims.

In view of the above, the rejections are believed overcome. Reconsideration and withdrawal of the rejections is respectfully requested. The Office Action stated claim 62 was rejected under 35 U.S.C. 112, second paragraph, but no specific rejection was found in the Office Action. Claim 62 has been amended to clarify that rings A, B, and C are phenyl groups, for consistency with the definition in claim 56. If there is further clarification required in claim 62,

the Examiner is respectfully requested to provide further information as to the nature of the rejection.

35 U.S.C. 103(a) rejection

In the Office Action mailed August 5, 2004, claims 2-6, 25-30, 49-54 and 63-68 were rejected under 35 U.S.C. 103(a) over Chao et al. (Physical Rev. Let. Vol. 86, No. 18, pages 4048-4051, 2001). The Office Action stated:

The reference discloses a liquid crystal material of the following structure, which comprises a smectic A and smectic C phases. The profiles of the associated heat-capacity anomalies are found to be strongly thickness dependent and exhibit a novel crossover behavior in reduced dimensions. The anticlinic coupling between tilted surface layers in the smectic-A phase were measured. The reference differs from the claims in that the claims claim as a liquid crystal composition instead of a compound. Although the reference does not show the liquid crystal composition as claims but liquid crystal compound (MDW 1397) possesses the properties of smectic A and C phase, which is useful for electro-optic displace device. It would have been obvious to those skilled in the art to utilize the reference compound by mixing with other suitable materials for liquid crystal composition having the present properties depended on their need (such as Ps, viscosity, phase temperature range and electric rise time) to obtain these known devices (such as bistable, analog switching, V-shaped switching devices).

The compound disclosed in the Chao reference (MDW1397) is an enantiomer of compound MDW1248. MDW 1248 is disclosed in the priority provisional application for the subject application on page 31, for example. MDW 1397 is disclosed in the structures in the priority provisional application (see Formula 1, page 8, and specific structures on pages 9-14). In addition, the priority provisional application states "Enantiomers and racemates of specifically described compounds are also encompassed by this invention." (page 17, last paragraph). The filing date of the priority provisional application (September 1, 2000) is before the publication date of the Chao reference (April 30, 2001). Therefore, the reference is improper and the rejection should be withdrawn.

Reconsideration and withdrawal of the rejection is respectfully requested.

Objection to claims 60 and 61

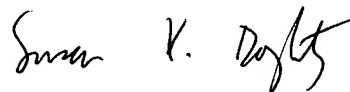
In the Office Action, claims 60 and 61 were objected to as being dependent on a rejected base claim. In view of the above arguments and amendments, it is believed claim 56, from which claims 60 and 61 depend, is allowable. Reconsideration and withdrawal of the objection is respectfully requested.

CONCLUSION

In view of the above arguments and amendments, it is believed all rejections and objections are overcome. Reconsideration and withdrawal of the rejections and objections is respectfully requested. If there are any issues remaining to passage of the case to patentability, the Examiner is respectfully requested to telephone the undersigned.

This Response is accompanied by a Petition for Extension of Time (2 months) and the fee due. If the fee submitted is incorrect, please deduct the appropriate amount, including the amount due for any extensions of time, from Deposit Account 07-1969.

Respectfully submitted,



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